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PTO/SB/21 (09-06)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/607,855
		Filing Date	June 27, 2003
		First Named Inventor	Shanti A. CAVANAUGH
		Art Unit	2871
		Examiner Name	Phu Vu
Total Number of Pages in This Submission		Attorney Docket Number	595242000610

### ENCLOSURES (Check all that apply)

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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Alex Chartove		
Date	February 26, 2007	Reg. No.	31,942



Patent  
Docket No. 595242000610

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Shanti A. CAVANAUGH

Serial No.: 10/607,855

Filing Date: June 27, 2003

For: FLAT TOP TUNABLE FILTER WITH  
INTEGRATED DETECTOR

Examiner: Phu Vu

Group Art Unit: 2871

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

Applicant would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **(595242000610)**.

Dated: February 26, 2007

Respectfully submitted,

By Alex Chartove  
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ALTERNATIVE TO PTO/SB/08A/B (09/06)

Substitute for form 1449/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	10/607,855
Sheet	1	of	2	Filing Date	June 27, 2003
				First Named Inventor	Shanti A. CAVANAUGH
				Art Unit	2871
				Examiner Name	Phu Vu
				Attorney Docket Number	595242000610

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US-3,637,291	01-25-1972	KESSLER et al.	
	2.	US-4,135,789	01-23-1979	HALL	
	3.	US-4,148,128	04-09-1979	FELDMAN	
	4.	US-4,165,157	08-21-1979	KOBALE	
	5.	US-4,310,220	01-12-1982	KUWAGAKI	
	6.	US-4,315,668	02-16-1982	AFTERGUT	
	7.	US-4,410,238	10-18-1983	HANSON	
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	11.	US-5,013,140	05-07-1991	HEALEY	
	12.	US-5,015,057	05-14-1991	RUMBAUGH	
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	14.	US-5,150,236	09-22-1992	PATEL	
	15.	US-5,276,747	01-04-1994	PAN	
	16.	US-5,396,355	03-07-1995	WADA et al.	
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	18.	US-5,430,561	07-04-1995	KATO et al.	
	19.	US-5,515,461	05-07-1996	DERI et al.	
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	21.	US-5,724,165	03-03-1998	WU	
	22.	US-5,726,805	03-10-1998	KAUSKIK	
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	24.	US-5,739,888	04-14-1998	OGURA et al.	
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	33.	US-6,140,466	08-15-2000	BUCHWALTER et al.	
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	37.	US-6,166,838	12-26-2000	LIU	
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	40.	US-6,201,593	03-13-2001	WONG	
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	47.	US-6,356,389	03-12-2002	NILSEN	
	48.	US-6,384,882	05-07-2002	NAGAYAMA et al.	

Examiner Signature	Date Considered
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Substitute for form 1449/PTO				<b>Complete if Known</b>	
				Application Number	10/607,855
				Filing Date	June 27, 2003
				First Named Inventor	Shanti A. CAVANAUGH
				Art Unit	2871
				Examiner Name	Phu Vu
Sheet	2	of	2	Attorney Docket Number	595242000610

49.	US-6,385,217	05-07-2002	SINGH et al.	
50.	US-6,388,730	05-14-2002	LINDQUIST	
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66.	US-2002/0167634	11-14-2002	WATANABE et al.	
67.	US-2003/0201966	10-30-2003	PAN	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>2</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	68.	JP-62-058221	03-13-1987	RICOH KK	Translation of Abstract	
	69.	JP-63-137212	06-09-1988	TOPPAN PRINTING CO., LTD.	Translation of Abstract	
	70.	WO-02/14909	02-21-2002	REFLEXITE CORP		

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	71.	DEL VILLAR et al. (2003). "Analysis of one-dimensional photonic band gap structures with a liquid crystal defect towards development of fiber-optic tunable wavelength filters," <i>Optics Express</i> 11(5): 430-436.	
	72.	HIRAI et al. (2003). "Fine pattern fabrication on glass surface by imprint lithography," <i>Microelectronic Engineering</i> 67-68:237-244.	
	73.	PARK and KOSTEL. (2002). "Nano-Optics Redefine Rules for Optical Processing," <i>Communication Systems Design</i> August 2002:23-26.	
	74.	SHARON et al. (1997). "Resonant grating-waveguide structures for visible and near-infrared radiation," <i>Journal of the Optical Society of America</i> 14(11):2985-2993.	
	75.	WANG et al. (2003). "MF28: Electrically Tunable Free-Space Sub-Wavelength Grating Filters with 30nm Tuning Range," <i>OFC 2003</i> 1:31-32.	
	76.	WANG et al. (2003). "Design and Realization of Multi-Layer Integrated Nano-Optic Devices," <i>NFOEC Technical Proceedings</i> , pp. 148-156.	
	77.	WANG, Jian Jim. (2002). "Subwavelength Optical Elements (SOEs)—A Path to Integrate Optical Components on a Chip," <i>NFOEC Technical Proceedings</i> , pp. 1144-1152.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered